

Response to Comments

General Information

This document presents responses to comments submitted by agencies, individuals, and organizations concerning the Draft Subsequent Environmental Impact Report (SEIR) for the Hamilton Army Airfield, Main Airfield Parcel Record of Decision/Remedial Action Plan (ROD/RAP). The Draft SEIR, prepared for the California State Coastal Conservancy (Conservancy), was made available to the public and regulatory agencies for review and comment during the comment period from June 5, 2003 to July 21, 2003.

The Guidelines implementing the California Environmental Quality Act (CEQA) require that written responses be prepared for all written and oral comments received on a Draft EIR during the public review period. CEQA Guidelines Section 15132 specifically states:

The Final EIR shall consist of:

- a. The Draft EIR or a revision of that draft.
- b. Comments and recommendations received on the Draft EIR either verbatim or in a summary.
- c. A list of persons, organizations, and public agencies commenting on the Draft EIR.
- d. The response of the Lead Agency to significant environmental points raised in the review and consultation process.
- e. Any other information added by the Lead agency.

This Final SEIR has been prepared in compliance with these Guidelines, as well as with applicable procedures of the Conservancy.

Comments on the Draft SEIR were received in letters submitted during the public comment period. Public comments were also provided during a joint hearing for the ROD/RAP and the Draft SEIR on July 17, 2003. Comments at the public hearing were provided on both the ROD/RAP, the Draft SEIR, and the overall

Hamilton Wetland Restoration Project. Responses are provided below for those comments that are specifically relevant to the SEIR. Comments on the ROD/RAP are provided in the Final ROD/RAP.

The comments and responses are grouped into two categories: state agencies and individuals and organizations. Responses are provided immediately following each comment. Underlined text in the responses identifies where new text has been incorporated into the Final SEIR, while ~~Strikeout~~ text in the responses indicates where text was removed in the Final SEIR. Table 1 below identifies the commenters and the pages on which the comments begin.

Table 1. List of Commenters and Location of Responses

	Commenter	Page
State Agencies		
S-1	California Department of Transportation (Caltrans)	3
Individuals and Organizations		
I-1	Friends of Novato Creek	6
I-2	Barbara Salzman (comments made at the public hearing)	7

S-1 California Department of Transportation (Caltrans)

S-1.1 – Table 3.7-3. No turning movements at the studied intersections are included in the DSEIR. Consequently, we can not validate any of the results presented.

This SEIR tiers off the 1998 HWRP EIR/EIS, which was incorporated by reference. Since the proposed project would result in only minor, temporary trip generation, the LOS and turning movements of potentially affected intersections have not been revised or detailed in this document. Although development has continued to occur in and around HAAF, substantial traffic improvements, as described in response to comment S-1.4 below, have been completed to mitigate for traffic increases. The LOS for these intersections are considered to accurately reflect current conditions at these intersections.

S-1.2 – Table 3.7-3. It is unclear if the level of service (LOS) results are based on existing traffic volumes or future year projected traffic. In either case, what year does the information in this table represent?

The LOS for intersections identified in Table 3.7-3 are 2010 conditions. The 2010 conditions reflect cumulative development conditions on the Hamilton Army Airfield, including residential and commercial development on the former HAAF and wetland restoration on the Main Airfield Parcel.

S-1.3 – Table 3.7-3. The note seems to indicate that some improvements are assumed at some of the study intersections. Specifically, what are these improvements and have any been completed?

The LOS in Table 3.7-3 present projected traffic conditions in 2010. The title of Table 3.7-3 should be revised to read:

Table 3.7-3. ~~Summary of Year 2010 Intersection Levels of Service and Peak Hour Freeway Operations~~

S-1.4 – Table 3.7-3. If some of the improvements have not been made, what is the likelihood that this project would go forward without the assumed improvements? What is the expected LOS for intersections at which improvements have not been made (if applicable)?

Roadway improvements required for the New Hamilton Partnership Master Plan Project included the following:

- modification of Ignacio Boulevard interchange to include a new loop on-ramp from southbound Nave Drive to northbound U.S. 101;
- improvements to the Nave Drive, including south extension of the four-lane segment of Nave Drive, improved bike lanes, additional turn lanes and new signals at intersections, and improved approach to the Ignacio Boulevard interchange;
- improved loop off-ramp from southbound U.S. 101 to eastbound Ignacio / Bel Marin Keys Boulevard;
- improved circulation on the Ignacio / Bel Marin Keys Boulevard overpass to U.S. 101; and
- improvements to Enfrente Drive, primarily involving intersection modifications.

Based on conversations with City of Novato staff, these improvements, which were assumed in the projections of capacity and operation, as noted in Table 3.7-3, have been completed.

S-1.5 – Table 3.7-3. The words “and Peak-Hour Freeway Operations” should be removed from the table’s title.

Please see response to comment S-1.3 above.

S-1.6 – Table 3.7-4. The table shows that, for most freeway segments studied, year 2010 traffic demand exceeds the freeways capacity. In reality, there are several freeway bottlenecks that constrain traffic flows in these segments. Consequently, the results presented do not accurately reflect freeway conditions that would be expected in year 2010.

Year 2010 conditions are based on cumulative conditions calculated for the disposal and reuse of HAAF. These calculations were derived by comparing the projected traffic volume under cumulative conditions with the capacity of each highway segment. No improvements to Highway 101 or State Route 37 were assumed. Bottlenecks in the highway system are reflected in the segment capacity used to calculate the LOS for each of the freeway segments.

S-1.7 – Impact T-2: Impacts to Freeway LOS during remediation. The proposed project will add vehicle trips to State Route (SR) 37 and U.S. 101, which currently operate at LOS during the peak periods. The DSEIR should provide mitigation for this significant impact to SR 37 and U.S. 101. We recommend the project sponsor pay a “fair-share” fee towards mitigating the significant cumulative impacts to SR 37 and U.S. 101.

The Conservancy was not able to identify any fair-share fee programs to which it could contribute to address potential traffic impacts to Highway 101 or State Route 37. Local, regional, and State transportation and transit programs, including Caltrans, Marin County, Marin County Congestion Management Agency, City of Novato, and Golden Gate Bridge Highway and Transportation District, were contacted but none administer any fair-share programs for these roadways. Establishment of separate a fair-share program by the Conservancy would be impractical since the project’s contribution to regional traffic is very small and temporary. Establishment of a separate fair-share program would also delay implementation of the project, which is scheduled to begin in the fall of 2003. Such a delay would severely impact several other regional programs (i.e., the long-term management strategy for disposal of dredge materials) that are dependent on the future wetland restoration at Hamilton. For example, delay in implementing the ROD/RAP would delay dredge material disposal at the site and, finally, delay dredging in the Bay or result in continued use of open water disposal sites for dredge materials. The result of such delays could be impacts to the regional economy from constraints to port operations, or greater harm to the regional environment from open water disposal of dredge materials.

The Conservancy investigated project-specific mitigation measures but no feasible measures were identified that could avoid the generation of peak period trips on Highway 101 and State Route 37. The number of daily trips during the peak period and in the peak direction is likely to be minimized through development and implementation of the work plan for the ROD/RAP. Transport of materials during the peak hours and in the peak direction of travel is likely to be avoided since increased travel time to and from disposal sites would be more costly for the Army or its contractor(s). Some remedial work is also likely to be conducted in 10-hour workdays in order to minimize the time to complete the work. Under

these work hours, workers would arrive at the site early in the morning (approximately between 6:00 a.m. and 6:30 a.m.) and would substantially avoid the morning peak period.

In addition, while the SEIR provides an estimate of peak daily trip generation, the daily rate is likely to be lower during much of the project's lifespan. The SEIR estimate represents the number of daily trips during the period of maximum activity. Since the project would involve periods of lesser activity or no activity, the number of daily trips during much of the site remediation would often be lower than the SEIR estimate. The SEIR also implicitly assigns all peak hour trips to the peak travel direction. The actual number peak hour trips in the peak direction would realistically be divided between the commute and non-commute directions.

Under CEQA, an impact is considered to be cumulatively significant if its "incremental effects are considerable when viewed in connection with the effects of past present, and reasonably foreseeable future projects" (CEQA Sec 15065). Even a project that would make a very minor or *de minimus* contribution to a cumulative impact would still result in a cumulatively significant impact if the resulting cumulative effect were severe. Thus, although the proposed project would add only a very small number of temporary trips, the cumulative impact is considered cumulatively significant under CEQA because of the severity of traffic conditions on Highway 101 and State Route 37.

Although this impact was characterized as a direct impact of the proposed project in the Draft SEIR, it is more accurately characterized as a cumulative impact since the projects contribution to traffic is minor, except as it contributes to cumulative traffic conditions. Therefore, while the level of impact as described in the Draft EIR remains the same, this impact is considered to be a cumulative impact for purposes of the Final EIR.

I-1 Friends of Novato Creek

Friends of Novato Creek submitted a single set of comments for the ROD/RAP and the SEIR. The majority of these comments were related to the ROD/RAP and are responded to in the Final ROD/RAP. Responses are provided below for those comments that specifically address issues relevant to the SEIR or that would trigger a change in the ROD/RAP that requires revision of the SEIR.

I-1.1 Moving Hazardous Waste – All hazardous wastes that are moved, whether on or off the property, must comply with the substantive requirements of Title 27. There is no difference between waste being moved during the HWRP implementation and moving wastes that are identified as “BRAC sites.” The ROD/RAP should not treat these events differently, as does the CEQA analysis – both of which are incorrect. Please correct these errors in the subject documents.

All contaminated soil that is removed from the site would be handled in accordance with appropriate hazardous waste laws. Title 27 is listed in the ROD/RAP as an Action Specific ARAR. There is no plan for the HWRP to move hazardous wastes onsite. The HWRP is only allowed to manage the PAHs along the runway and the Inboard Are-wide DDTs less than 1 ppm onsite. Soils with these contaminants at these concentrations are not classified as hazardous wastes. It is appropriate to treat the movement of soils classified as hazardous wastes differently than the movement of other soils.

Public Hearing Comments

I-2 Barbara Salzman

I-2.1 - During the presentation the statement was made that most of the alternatives were not viable and I was wondering, that sounds like some were but were rejected. So which ones were viable but were not chosen?

Response: The process of developing alternatives for the Main Airfield parcel was begun in previous documents and carried forward into the SEIR. Alternative reuse scenarios were considered in the 1996 Disposal and Reuse EIS. Wetland restoration was determined to be the preferred alternative and, therefore, no other types of reuse were considered in the SEIR. Alternative types of wetland restoration were considered in the 1998 HWRP EIR/S and, therefore, no other types of wetland restoration were considered in the SEIR. Finally, the ROD/RAP and its predecessor documents considered alternative remedial strategies to address contamination, pursuant to future wetland restoration at the site. The final remedial alternatives were carried forward into the ROD/RAP.

Several variations on the ROD/RAP remedial alternatives were identified in the SEIR but none of these alternatives were considered feasible. CEQA Guidelines (Section 15126.6(f)) state that in determining whether alternatives are feasible, a lead agency must consider if an alternative is "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." The remedial alternatives discussed in the SEIR were found to be infeasible either because they would result in greater impacts than the proposed project, due to greater ground disturbance and earth-moving activity, they would have impaired the ability of the site for wetland restoration, or they would have been prohibitively expensive.

I-2.2 - Okay, can you summarize what the extent of the remediation that will take place in the marsh, or are there areas that will be excavated? And how you going to mitigate for that?

Response: Remedial activities in the coastal salt marsh is expected to result in the temporary loss of approximately 6 acres and the permanent loss of approximately 0.3 acres. Mitigation measures in the SEIR require the excavations in the coastal salt marsh to be backfilled with suitable material and recontoured. Although the disturbed areas are expected to revegetate naturally, the SEIR includes mitigation measures that provide for active restoration if natural revegetation is not successful.

Remediation, transfer, and wetland restoration of the Main Airfield parcel at HAAF are logically linked and considered by USFWS as a single project. Remedial activities, as proposed in the ROD/RAP, would enable the HWRP to be implemented. The HWRP would create an estimated 485 acres of coastal salt marsh on the HAAF parcel, which would offset the small amount of coastal salt marsh permanently lost as a result of the ROD/RAP.